

REMARKS:

Claims 1-11, 34, and 35 remain in the application for consideration.

Claims 1-11 stand rejected under 35 U.S.C. § 112, second paragraph. Claims 1-11, 34, and 35 stand rejected under 35 U.S.C. § 103(a) over U.S. Patent No. 6,338,067 to Baker, et al. These rejections are respectfully traversed for the reasons discussed below.

Claims 1, 34, and 35 has been amended in order to more particularly point out and distinctly claim the invention. Applicants expressly reserve the right to pursue broader claims in this or another application.

REJECTION UNDER 35 U.S.C. § 112:

Claims 1-11 stand rejected under 35 U.S.C. § 112, second paragraph.

While it is noted that the Office Action alleges that the remarks presented in the 16 August 2005 "do not clarify the matter," it is respectfully submitted that merely referencing the original rejection ("Applicant is directed towards the May 19, 2005 Non-final Office Action, paragraph 3, regarding the body of the rejection"), rather than providing an explanation or clarification in view of Applicants remarks, does not clarify the matter either.

The Office Action states that "the Examiner does not know what seller database is being referenced to....Neither the claims alone or in combination with the descriptive portion of the specification along with the drawings provide a clear reading of the claim language." However, since the specification specifically discusses a seller database/seller databases (e.g., pp. 18-26 of Specification), seller databases are shown in the drawings (e.g., Items 32a-32n, Fig. 4), and, particularly in view of the disclosure provided in the specification and drawings, a "seller database" would be readily understood by those skilled in the art (noting that no evidence to the contrary has been presented by the Examiner), the Applicant considers the recitation of a seller database in the claims to be fully compliant with the requirements of § 112.

Applicant maintains that claims 1-11 are in compliance with the requirements of 35 U.S.C. § 112 as set forth in the Amendment filed on 16 August 2005.

For the convenience of the Examiner, the remarks presented in the 16 August 2005 Amendment regarding the rejection under 35 U.S.C. § 112 are reproduced below.

The Office Action indicates that the reason for this rejection is a pair of phrases recited in claim 1: “seller database being one of a plurality of seller databases” and “all seller databases in the plurality of seller databases.” The Office Action alleges that these two phrases render the scope unclear because they “improperly intermix a singular database in juxtaposition with a plurality of databases.” This allegation is respectfully traversed.

There is no basis or authority cited for supporting the notion that it is improper to “intermix a singular database in juxtaposition with a plurality of databases.” Thus, it is respectfully submitted that the allegation that “intermix[ing] a singular database in juxtaposition with a plurality of databases” renders the claim unclear is without merit.

Further, the phrases in question have been singled out without consideration for the context in which the phrases are presented within the claim. Note that MPEP 2173.02 instructs that “[i]n reviewing a claim for compliance with 35 U.S.C. 112, second paragraph, the examiner must consider the claim *as a whole*...” (Emphasis added). The phrases in question are presented in claim 1 as follows:

a content enhancement module operable to:
analyze product data stored in a seller database using one or more rules, the seller database being one of a plurality of seller databases, the rules comprising one or more generic rules applying to substantially all seller databases in the plurality of seller databases that store product data,

Thus, claim 1 recites a plurality of seller databases comprising a seller database (“the seller database being one of a plurality of seller databases”), the product data of the seller database being analyzed using one or more rules (“analyze product data stored in a seller database using one or more rules”), the one or more rules comprising one or generic rules that apply to substantially all of the plurality of seller databases (“the rules comprising one

or more generic rules applying to substantially all seller databases in the plurality of seller databases that store product data"). It is respectfully submitted, therefore, that the claim is setting forth rules and generic rules, where the rules apply to a certain seller database that is one of plural databases whereas the generic rules apply to more than one database, and where the rules include one or more of the generic rules, and that this recitation would be at least reasonably clear to one of ordinary skill in the art.

In light of the above, it is respectfully submitted that claims 1-11 are fully compliant with the requirements of 35 U.S.C. § 112. Accordingly, it is respectfully requested that the rejection of claims 1-11 under 35 U.S.C. § 112 be reconsidered and withdrawn.

REJECTION UNDER 35 U.S.C. § 103(a):

Claims 1-11, 34, and 35 stand rejected under 35 U.S.C. § 103(a) over U.S. Patent No. 6,338,067 to Baker, et al. ("Baker"). However, because Baker fails to disclose or suggest all of the limitations of claims 1-11, 34, and 35, Baker cannot render these claims obvious.

This rejection is respectfully traversed.

Claim 1 has been amended to recite limitations including:

analyze product data stored in a seller database using one or more rules, the seller database being one of a plurality of seller databases, the rules comprising one or more generic rules applying to substantially all seller databases in the plurality of seller databases that store product data, the generic rules comprising:

a rule indicating that a potential error exists if two products in the seller database have identical product identifiers but have otherwise different product data;

a rule indicating that a potential error exists if two products in the seller database have different product identifiers but have otherwise identical product data; and

one or more rules indicating that a potential error exists if the values associated with particular generic product attributes have a non-numerical format; and

identify one or more potential errors in the product data according to the rules.

Baker fails to disclose or suggest all of the limitations of claim 1, including the specific limitations pointed out above. For example, Baker fails to disclose or suggest the use of all of the rules recited in claim one, and thus further fails to disclose or suggest the use of such rules for identifying potential error(s) in product data.

Therefore, since Baker fails to disclose or suggest all of the limitations of claim 1, Baker cannot render obvious claim 1, or claims 2-11 which depend from claim 1.

Claims 34 and 35 have been amended to include limitations similar to those discussed above in connection with claim 1. Accordingly, claims 34 and 35 are considered to be patentably distinguishable over Baker for at least the same reasons discussed above.

In light of the discussion above, it is respectfully submitted that claims 1-11, 34, and 35 are in condition for allowance. Accordingly, Applicants respectfully request that the rejection of claims 1-11, 34, and 35 under 35 U.S.C. § 103(a) be reconsidered and that claims 1-11, 34, and 35 be allowed.

CONCLUSION:

In view of the foregoing amendments and remarks, this application is considered to be in condition for allowance, and early reconsideration and a Notice of Allowance are earnestly solicited.

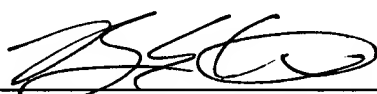
Enclosed herewith is a Request for Continued Examination, which includes an authorization to charge the \$790.00 fee for an RCE to **Deposit Account No. 500777**. If an extension of time is necessary for allowing this Amendment to be timely filed, this document is to be construed as also constituting a Petition for Extension of Time Under 37 C.F.R. § 1.136(a) to the extent necessary. Any fee required for such Petition for Extension of Time should be charged to **Deposit Account No. 500777**.

Please link this application to Customer No. 53184 so that its status may be checked via the PAIR System.

Respectfully submitted,

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